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Docket No. DEP5260

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Hawkins  
Serial No.: 10/796,359  
Filed: March 9, 2006  
Title: Posterior Process Dynamic Spacer

Group Art Unit: 3733  
Examiner: Ramana, Anuradha

CERTIFICATE OF MAILING

I, Amy Schick, hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on May 1, 2006.

Amy Schick (signature)  
Amy Schick

May 1, 2006 (date)

Thomas M. DiMauro (name of Registered Representative)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Sir:

In response to the restriction requirement set forth in the Office Action of April 12, 2006, Applicants respectfully request reconsideration of the above-captioned patent application in view of the following election, amendment and remarks:

**Amendments to the Claims** are reflected in the listing of the claims which begins at page 2 of this paper.

**Remarks** begin at page 12 of this paper.